

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

In re:  
Oakwood Homes Corporation, et al.,  
Debtors.

Chapter 11  
Case No. 02-13396 (PJW)

OHC Liquidation Trust,  
Plaintiff,  
v.  
Credit Suisse (f/k/a Credit Suisse First Boston, a  
Swiss banking corporation), Credit Suisse Securities  
(USA), LLC (f/k/a Credit Suisse First Boston LLC),  
Credit Suisse Holdings (USA), Inc. (f/k/a Credit  
Suisse First Boston, Inc.), and Credit Suisse (USA),  
Inc. (f/k/a Credit Suisse First Boston (U.S.A.), Inc.),  
the subsidiaries and affiliates of each, and Does 1  
through 100,  
Defendants.

Adv. Proc. No. 04-57060 (PJW)  
Civil Action No. 07-799 (JJF)

**DEFENDANTS' MOTION TO EXCLUDE THE EXPERT TESTIMONY  
OF ALAN C. SHAPIRO PURSUANT TO FED. R. EVID. 702**

Defendants Credit Suisse (f/k/a Credit Suisse First Boston, a Swiss banking corporation),  
Credit Suisse Securities (USA), LLC (f/k/a Credit Suisse First Boston LLC), Credit Suisse  
Holdings (USA), Inc. (f/k/a Credit Suisse First Boston, Inc.), and Credit Suisse (USA), Inc. (f/k/a  
Credit Suisse First Boston (U.S.A), Inc.) (collectively "Defendants"), by and through their  
undersigned counsel, hereby move this Court pursuant to Federal Rule of Evidence 702 for an  
order granting Defendants' Motion to Exclude the Expert Testimony of Alan C. Shapiro.

In support of their motion, the Defendants rely upon the accompanying (i) Memorandum  
of Law in Support of Defendants' Motion to Exclude the Expert Testimony of Alan C. Shapiro

Pursuant to Fed. R. Evid. 702 and (ii) the Declaration of Kate Z. Machan in Support of Defendants' Motion to Exclude the Expert Testimony of Alan C. Shapiro Pursuant to Fed. R. Evid. 702.

WHEREFORE, the Defendants respectfully request that the Court enter an Order substantially in the form of the proposed order attached hereto as Exhibit A, and grant such other and further relief as the Court deems just and proper.

Dated: April 16, 2008  
Wilmington, Delaware

Respectfully submitted,



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EXHIBIT A

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Credit Suisse (f/k/a Credit Suisse First Boston, a Swiss banking corporation), Credit Suisse Securities (USA), LLC (f/k/a Credit Suisse First Boston LLC), Credit Suisse Holdings (USA), Inc. (f/k/a Credit Suisse First Boston, Inc.), and Credit Suisse (USA), Inc. (f/k/a Credit Suisse First Boston (U.S.A.), Inc.), the subsidiaries and affiliates of each, and Does 1 through 100,

Defendants.

Re: Dkt. No. \_\_\_\_\_

**ORDER GRANTING DEFENDANTS' MOTION TO EXCLUDE THE EXPERT TESTIMONY OF ALAN C. SHAPIRO PURSUANT TO FED. R. EVID. 702**

Upon consideration of the *Defendants' Motion to Exclude the Expert Testimony of Alan C. Shapiro Pursuant to Fed. R. Evid. 702* (the "Motion to Exclude") filed by Credit Suisse (f/k/a Credit Suisse First Boston, a Swiss banking corporation), Credit Suisse Securities (USA), LLC (f/k/a Credit Suisse First Boston LLC), Credit Suisse Holdings (USA), Inc. (f/k/a Credit Suisse First Boston, Inc.), and Credit Suisse (USA), Inc. (f/k/a Credit Suisse First Boston (U.S.A.), Inc.) (collectively, "Defendants") and any opposition thereto; and the Court having determined that the legal and factual bases set forth in the Motion to Exclude establish just cause for the relief requested therein;

IT IS HEREBY ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008 THAT:

1. The Motion to Exclude is GRANTED.

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THE HONORABLE JOSEPH J. FARNAN, JR.